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January 28, 2010

Federal Election Commission  
Office of the General Counsel  
888 E Street, N.W.  
Washington, DC 20463  
Attn: Frankie D. Hampton

E. Mark Braden  
direct dial: 202.861.1804  
mbraden@bakerlaw.com

Re: MUR 6240

Dear Mr. Hampton:

This letter is in response to the Federal Election Commission's ("Commission") letters notifying Mr. John T. Landess and Mr. Walter A. Wildman that the Commission had received a complaint indicating that they may have violated the Federal Election Campaign Act of 1971, as amended ("Act").<sup>1</sup> I have been retained to represent these individuals. Your letter enclosed a copy of a letter dated November 27, 2009, from a John Mitchell to the Commission which purports to be a complaint.

The Commission's enforcement process is limited to matters involving possible violations of the Act. Any person who believes that a violation of the Act or regulations issued by the Commission has occurred may file a complaint with the Commission.<sup>2</sup> However, the Commission has no jurisdiction to consider allegations of violations of any other provisions of federal law.

Mr. Mitchell's letter makes no allegation of any violation or potential violation of the Act. The three specific allegations in the Mitchell's letter raise no issues in regard to compliance with the Act. The Commission's regulations require that a complaint should contain a clear and concise recitation of facts which describe a violation of a statute or regulation over which the Commission has jurisdiction.<sup>3</sup> The Commission has no role or responsibility in regard to congressional financial disclosure reports which appear to be the basis for two of Mr. Mitchell's three allegations. The third allegation is a "violation" of an unnamed or referenced federal law by Congressman Austria because of the appearance of "military members in uniform" on a website.

<sup>1</sup> 2 U.S.C. § 431 et seq.  
<sup>2</sup> 11 C.F.R. § 101.4.  
<sup>3</sup> 11 C.F.R. § 111.4(d)(3).

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For these reasons, the Commission should not take any action against Mr. John T. Landees or Mr. Walter A. Wildman in regard to this matter and should promptly close this MUR.

If you should have any additional questions concerning this matter, please do not hesitate to contact me.

Sincerely,



E. Mark Braden

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